
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

SOCRATES G. LOPEZ,

Plaintiff,

versus

GUY WILLIAMS,

Defendant.

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CIVIL ACTION H-10-1236

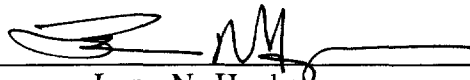
Opinion on Dismissal

Socrates G. Lopez sues Montgomery County Sheriff Guy Williams under 42 U.S.C. § 1983 for the loss of personal property. He says someone stole his jewelry when he was held in the Montgomery County jail.

Negligence does not violate the U.S. Constitution. *Davidson v. Cannon*, 474 U.S. 344 (1986). Random, unauthorized property deprivations do not violate due process where the plaintiff has an adequate post-deprivation remedy under state law. *Hudson v. Palmer*, 468 U.S. 517, 535 (1984). Texas provides a post-deprivation remedy for the loss of personal property. *Murphy v. Collins*, 26 F.3d 541, 543-44 (5th Cir. 1994).

Lopez fails to state a claim recognized at law. 28 U.S.C. § 1915A(b)(1). The clerk will send a copy to the District Clerk for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas 75702, Attention: Three-Strikes List.

Signed May 3, 2010, at Houston, Texas.


Lynn N. Hughes
United States District Judge